

Exhibit A



ELECTRONIC REQUEST

Office of the General Counsel
ATTN: FOIA Service Center
Executive Office for Immigration Review
5107 Leesburg Pike, Suite 1903
Falls Church, VA 22041

September 26, 2018

Re: **FOIA Request – Expedited Processing**
ADHAM AMIN HASSOUN (A# 074-079-096)
Location of hearings: Miami Immigration Court, 333 S. Miami Ave, Miami, FL 33130

Dear Sir or Madam:

I, A. Nicole Hallett Esq., represent Adham Amin Hassoun (“Mr. Hassoun”) in his *habeas corpus* proceeding before the United States District Court for the Western District of New York. This is a request for information under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552.

Request for records: I request all documents in the custody and control of the Executive Office for Immigration Review (“EOIR”) Miami Immigration Court, related to our client, Mr. Hassoun. In particular, we request all records related to his proceedings in Immigration Court. Here are the pertinent details of those proceedings:

Name: Adham Amin Hassoun

A#:074-079-096

Location of hearings: Miami Immigration Court, 333 S. Miami Ave, Miami, FL 33130

Date of hearings: June 2002 (approx.) to 2004 (approx.).

If EOIR does not have custody or control over certain requested records but knows or believes that another department, agency, private entity, or another subject to FOIA does, such as DOJ or another operational or support component therein, please forward this FOIA request to the appropriate person and inform the undersigned that you have done so. Electronic versions of the requested documents on compact discs or other digital media are preferred.

Authorization for release of records: Mr. Hassoun, the subject of this request has authorized the release of information responsive to this request to me, as his attorney, and to the Community Justice Clinic of the University at Buffalo School of Law, the legal clinic that I direct. Attached, please find a signed and notarized authorization from Mr. Hassoun. Also attached is a notice of appearance confirming that I represent Mr. Hassoun in ongoing litigation.

Request for expedited processing: We request expedited processing of this request. Expedited processing is appropriate here because substantial due process rights of Mr. Hassoun would be impaired by the failure to process immediately. 28 C.F.R. § 16.5(e)(iii). Mr. Hassoun has been held in indefinite post-final order detention in a federal detention facility for more than 10

months. The information we request here is necessary in order to permit Mr. Hassoun to challenge the lawfulness of his continued detention.

Specifically, Mr. Hassoun has filed a writ of *habeas corpus* in the U.S. District Court for the Western District of New York, challenging the legality of his prolonged and continuing detention. *See Hassoun v. Sessions*, No 18-cv-586 (W.D.N.Y.). We represent Mr. Hassoun in that proceeding. We are required to file a reply/traverse on his behalf by October 22, 2018. That filing must, among other things, rebut the factual allegations offered by the government and establish Mr. Hassoun's entitlement to relief. The information gathered from this request is critical to that filing and, thus, to preventing any further unlawful detention of Mr. Hassoun. We have no other way to obtain timely access to the records we have requested here because Mr. Hassoun is not entitled to ordinary civil discovery in the context of his *habeas* proceeding. *See Bracy v. Gramley*, 520 U.S. 899, 117 S.Ct. 1793, 1796-97 (1997); *Harris v. Nelson*, 394 U.S. 286, 295, 89 S.Ct. 1082, 1088-89 (1969).

Disclosure and fees: all or any part of this request is denied, please specify the exemption(s) claimed for withholding each record. If some portion(s) of the requested records are determined to be exempt, please provide the remaining non-exempt portions. 5 U.S.C. § 552(b). To the extent that materials are excised, please "black out" these materials, rather than "whiting out" or "cutting out" these materials. We reserve the right to appeal any decision(s) to withhold information and expect that you will list the address and office to which such an appeal may be directed. 5 U.S.C. § 552(a)(6)(A)(i).

We understand that no fee may be charged for the first two hours of search time or for the first 100 pages of duplication. 5 U.S.C. § 552(a)(4)(A)(iv)(II); 28 C.F.R. § 16.10(d)(4). If these fees will exceed \$100.00, please notify us of the amount of these fees before fulfilling this request. 28 C.F.R. § 16.10(e). We request records in electronic format to minimize or eliminate duplication costs.

Please reply to this expedited request within ten calendar days as required by statute and regulation. 5 U.S.C. § 552(a)(6)(E)(ii)(I); 28 C.F.R. § 16.5(e)(4). Please direct all correspondence relating to this request to my attention by phone, email, or mail at:

Nicole Hallett
University at Buffalo School of Law
507 O'Brian Hall, North Campus
Buffalo, NY 14260-1100
Tel: (716) 645-2167
Email: nicole@buffalo.edu

Thank you for your prompt consideration of this request.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Nicole Hallett', with a stylized flourish at the end.

Nicole Hallett Esq.
Director, Community Justice Clinic

Encl.

Authorization for Release of Personal Information / Privacy Waiver

I, Adham Amin Hassoun, A#074-079-096, hereby give my authorization and permission to the Clinical Legal Education Program at the University at Buffalo School of Law ('UB Law Clinics'), including attorney A. Nicole Hallett of the Community Justice Clinic and attorney Jonathan Manes of the Civil Liberties and Transparency Clinic, to obtain records, documents, or other information concerning or referencing me from any federal, state, or local governmental agency. I waive any privacy interests or rights that might impede disclosure of records, documents or other information to the UB Law Clinics, Ms. Hallett or Mr. Manes. This authorization remains in effect unless and until I am no longer represented by the UB Law Clinics, Ms. Hallett, or Mr. Manes.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:
Batavia, NY

9/25/18



Adham Amin Hassoun

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NEW YORK**

ADHAM HASSOUN,

Petitioner,

v.

Case #: 1:18-cv-586-FPG

JEFF SESSIONS, Attorney General of
the United States, et al.,

Respondents.

NOTICE OF APPEARANCE

Please TAKE NOTICE that attorney A. Nicole Hallett does hereby appear on behalf of
petitioner, Adham Amin Hassoun.

Dated: August 15, 2018

Respectfully,

/s/ A. Nicole Hallett

A. Nicole Hallett
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Buffalo, NY 14260
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716-645-3193

Counsel for Petitioner